

USDA
Tribal Quarterly Consultation 11/02/11

Welcome and thank you for standing by. For this time all participants are in a listen-only mode until the question and answer session. During those times please press “*1” on your phone to address your question. Today’s conference call is being recorded. If you have any objections, you may disconnect your line at this time. I would now like to turn the conference over to the USDA consulting official, Ms. Darlene Barnes. Ma’am, you may begin.

Okay. Thank you. Welcome everyone. And I want to thank you for joining us today in our quarterly tribal consultation meeting. As mentioned, my name is Darlene Barnes, and I’m the regional administrator for the Food and Nutrition Service for the Department of Agriculture, and I will be your consulting official today. I would like to welcome tribal leaders and members to today’s important consultation session.

We’re here today to consult with you on your agenda items on the program topics and program areas you would like to discuss. We’re also here today to share with you several program regulations and research activities. These are consultation items put forward by our agency, the Food and Nutrition Service, for consultation. I would like to begin today with the importance of this month of November.

Yesterday, President Obama proclaimed the month of November as National American Indian and Alaska Native Heritage Month 2011. I would like to read a short section of the President’s proclamation that really speaks to me as to what today’s meeting is all about. “This month we celebrate the rich heritage and various contributions of American Indians and Alaska Natives and how we rededicate ourselves to supporting tribal sovereignty, tribal self-determination, and prosperity for all Native Americans. We will seek to strengthen our nation to nation relationships by ensuring tribal natives have a voice in shaping national policies impacting tribal communities. We will continue this dialogue at the White House Tribal Nations Conference held in Washington, DC next month.” That White House Tribal Nations Conference, just to let you know, will be held December 2nd, 2011.

I would like to say, on behalf of the administration, that we do take consultation very seriously. We are here to strengthen our nation to nation relationship on a continuous basis. As part of this important effort I would like to consult with you on how we can improve upon this process. We would like to spend the first part of today’s consultation session and take as much time as needed to hear from you. We proposed an agenda for today’s call, and this agenda was included in the communications previously sent, but if you did not receive it, we can send it to you during this call.

Again, we want to spend as much time consulting on your agenda items, as this is the priority. Today’s consultation session, which is a conference call format, is new to us. We are still learning and looking at how we can improve this process to regularly meet with you. This format will not be the only format our future consultation sessions, but one of many types, including in person. We are looking for ways to continue to provide an open dialogue, and, you know, I look forward to hearing from you today, and really look forward to your participation.

Before we get started I’m going to turn it over to Barbara Lopez to talk about the logistics for today’s meeting. As I mentioned, we have several items we would like to share with you. Barbara will go through our materials, but first I will have her start with introductions. Barbara.

Thank you, Darlene. And welcome to today’s consultation session. As mentioned, this is a conference call consultation session. We are currently exploring different avenues to make our conference calls more open and more conducive to open dialogue. Today’s session is operator-assisted, which means when you dialed in you were automatically placed in conference mode. That means your line is muted. If you would like to have your line opened to consult on a topic or make a comment or ask a question, you’re going to enter “*1” on your phone and the operator will take your name and connect you with us.

We did send several messages via email that included a proposed agenda for today, as well as information on where to access additional reference materials. Those materials are posted on our website. If you did not receive them, you can access them directly on our public website, and I’m going to go ahead and give you that URL, that internet address. It’s WWW.FNS.USDA.GOV/FNS/TRIBAL. If you go that website you will be able to see all of today’s reference materials for today’s session.

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We now invite you to join us to do introductions. So you're going to press "*1" on your phone, and you can enter into the phone queue and join us for introductions. Today's consultation session is being recorded and transcribed, and the official transcripts will be part of the consultation record, thus we encourage everyone joining us today to participate in introductions and let us know your name, your tribe, if you're a tribal leader or a designee. We want to make sure we capture your information correctly for the consultation records. So, again, you'll press "*1" to join us for introductions. And we're going to go ahead and start with the introductions. Here, joining me from the program we have –

Hi. I'm Dana Rasmussen [PH]. I'm the acting chief of the policy branch food distribution division, USDA, FNS.

I'm Laura Griffin. I'm the acting director for the Program Accountability and Administration Division in the Supplemental Nutrition Assistance Program, or SNAP.

Hi. I'm Lauren King Gillen [PH] here from the Food Distribution Household Operations branch.

Great. Thank you. So, again, we invite you to join us for introductions if you press "*1" on your phone. And, operator, please.

The first one comes from Ruth Rifle [PH]. Your line is open, Ruth.

Good afternoon.

Good afternoon. Welcome.

My name is Ruth Reifel. I am the program director for the Rosebud Sioux Tribe Commodity Food Distribution Program.

Great. Wonderful. Thanks for joining us today. Operator, we'll go ahead and take the next introduction.

The next one is Janelle Esquivel [PH]. Your line is open.

Hi, I'm Janelle Esquivel for East (INAUDIBLE) Pueblo WIC Office.

Great. Wonderful. Thank you for being here.

Thank you.

And, operator, we'll continue with the next one, please.

And this one is Tim Tubby [PH]. Your line is open, Tim.

Hi. My name is Tim Tubby. I'm with the Mississippi band of Choctaw Indians. I'm the chief staff.

Thank you. Wonderful. Thank you for joining us today.

And the next one is Charles "Red" Gates [PH]. Your line is open.

Thank you. Good afternoon, everyone. This is Charles Gates, nicknamed "Red," representing the Standing Rock Sioux Tribe. I'm the designee for the tribal chairman, Charles W. Murphy.

Hi, Red. Thanks for joining us.

Thank you.

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Next is Sarah Smith-Holmes [PH]. Your line is open.

Hi. This is Sarah Smith-Holmes and Kathy Schweitzer from the Mountain Plains Regional Office.

Hi. Welcome. Thank you.

Next is Chris Henley. Your line is open.

Hi. This is Chris Henley calling from the Southwest Region in Dallas.

Hi, Chris. Thank you.

Hi.

And, operator, we'll take the next one, please.

The next one is Verna Henderson. Your line is open. Please check your phone for a mute button.

Hi, Verna Henderson, Lower Elwha Klallam Tribe. I'm the social services director sitting in for Frances Charles, our tribal chairlady.

Great. Thank you. Thanks so much for being here with us.

The next one the first name was cut off. Ms. Williams, your line is open.

Yes, this is Claudene Williams in the Choctaw Nation WIC Program.

Hi. Thank you.

And next comes Dolores Redrum [PH]. Your line is open.

(INAUDIBLE).

Hi, yes, we can hear you.

Operator, we'll go ahead and take the next one, please.

Thank you. Roxanna Newsom, your line is open.

Hi, this is Roxanna Newsom representing NAFDPIR as President of the association.

Hi, Ms. Newsom. Thanks for being here with us.

Next we have Mr. Robertson. Your line is open.

This is Todd Robertson with the Seminole Nation of Oklahoma, also representing NAFDPIR as the Vice President.

Hi, Mr. Robertson. Thanks for being here with us.

Thank you.

And next we have Valene Vile [PH]. Your line is open, Valene.

Good afternoon everybody. I'm Valene Vile [PH] from the Pueblo of Laguna Maternal and Child Health.

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Great. Thank you for being here.

And next we have Maurice Calistro. Your line is open, ma'am.

Yes, ma'am. My name is Maurice Calistro. I'm with the Mississippi Band of Choctaw Indians Department of Family and Community Service.

Hi there. Thanks for being here.

Go ahead.

I'm so sorry. The name actually got cut off. I know she talked about being with the Cherokee Indians. Ma'am, your line is open.

I'm Julie Maney and I work with the Eastern Band of Cherokee Indians in Cherokee, North Carolina, and I'm the Eastern Band Cherokee Indian WIC Program Director.

Thank you.

Next we have Patty Shock [PH]. Your line is open.

Hi, this is Patty Shock. I work for the Food Distribution Division.

Hi, Patty. Thanks for being here. And while we're waiting for the next introduction, if you did join us just a little bit late, we are going through introductions. Today is our consultation. It's a conference call. If you press "*1" on your phone you'll be able to join us for introductions and let us know that you're on the line with us.

Ms. Lopez, we do have a few in the queue that the lines have been muted and the name was not recorded. So if you had pressed "*1" I do have a line open now if you could check your mute feature on your phone, please.

That may be me. This is Lou Hankins with Southwest Region.

Hi. Thanks for being here.

We have a few more that way. If you had pressed "*1," your line is muted. Please unmute your phone. Your line is now open.

This is Peggy Carlton with Choctaw Nation WIC Farmers' Market Nutrition Program.

Hi, Peggy. Thanks for being here.

Thank you.

And one more, if you have pressed "*1," your line is now open. Please check your phone for mute button.

This is Stephanie Cooks from the Food and Nutrition Service Food Distribution Division Program Support branch.

Hi, Stephanie. Thank you.

Next we have Mary Green. Your line is open.

This is Mary Greene-Trottier representing Spirit Lake Tribe.

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Hi, Mary. Thank you for being here.

Next we do have Rosa Coronado. Your line is open.

Hi. Good afternoon. This is Rosa Coronado from the Southwest Regional Office.

Hi, Rosa.

We do have another one that if you pressed “*1” your line must be muted. Please check your phone. And I do have you open now.

This is Gary Benz [PH], director of Choctaw Health Department, Mississippi Band of Choctaw Indians in Mississippi.

Hi, Gary. Thank you for being here.

Next we have, I believe it's Mr. Troy. Your line is open. Please check your phone, sir.

This is –

Sir, your line is open.

Hi. This is Tony Ortoli [PH] with the Sioux Tribe Food Distribution Program.

Hi. Thank you for joining us.

Next we have Bea Maddox. Your line is open.

Hi. This is Bea Maddox in Southwest Region.

Hi there. Thank you.

And next we do have Denise Johnson [PH]. Your line is open.

Hi. It's Denise Dodson; it's D-O-D-S-O-N, with Ho-Chunk.

Hi, Denise. Thank you.

And Linda Walker, your line is open.

Hi. This is Linda Walker with the Yakama Nation in Toppenish, Washington, and also sitting in for our Chair, Harry Smiskin.

Great. Thank you for being here.

And next we do have Mr. Andrew Rave. Your line is open, sir.

Good afternoon. This is Andrew Rave, director of Ho-Chunk Food Distribution Program.

Hi. Good afternoon. Thank you for being here.

And we have one more that a name did not record. If you had pressed “*1,” please check your phones to be muted. And your line is now open. Once again, if you had pressed “*1” your line is now open. Next we'll have Chris Waterson [PH], I believe it is. Your line is open.

Hello.

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Hi there.

This is Chris Waterson from Bay Mills Indian Community.

Hi. Thank you.

Thank you.

Welcome.

Next we have Chandra Jabbs [PH]. Your line is open, ma'am.

Hello. My name is Chandra Jabbs and I'm with Susanville Indian Rancheria.

Hi, Chandra. Thanks for being here.

Once again, I do have another line that a name did not record, but if you have pressed "*1," your line is now open.

Iva Benson [PH].

Hi there. Welcome. Thank you.

And one more if you had pressed "*1," your line is open. Please check your phone to see if it's muted.

Arlene Sanchez, Mountain Plains Region.

Hi, Arlene. Thanks for being here.

No further in the queue at this time.

Great. Thank you so much. Thank you everyone. And I'll go ahead and hand it back to Darlene Barnes.

Okay. Thanks, Barbara. Again, I would like to say, on behalf of the administration, that we do take consultations very seriously. These regularly scheduled consultation sessions were created as a starting point for us to have the opportunity to meet regularly and consult on issues and program topics on a consistent basis. These sessions will not be our only opportunity.

We are looking at how we can best meet your consultation needs and are exploring venues to consult in-person during the year. We work closely with our USDA Office of Tribal Relations and Janie Hipp, which I think many of you know, the Senior Advisor to the Secretary of Agriculture, Tom Vilsack, on the consultation process. With today's consultation we hope to hear from you on this topic as well as additional topics. I'd like to go ahead and get started and hear from you and open today's discussion with an open dialogue. Please share with me your thoughts on this process and how we can improve, what would you like to see, or please share with me a topic you would like to discuss and consult.

As mentioned earlier, today's session is a conference call, so by pressing "*1" on your phone the operator will open your line to connect with us. I'm going to go ahead and ask the operator to see if there's anyone in the phone queue.

There is not anyone in the queue at this time.

Okay. What we'll do is we'll come back in a few minutes to have an open dialogue and see if our tribal leaders and representatives joining us today have any consultation items. So we're going to first move to SNAP. And why don't I go ahead and get started with an item we have here at the Food and Nutrition

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Service. The program topic is SNAP. And many of you joining us today may be familiar with the executive order of 13175. This executive order ensures that consultation occurs for program regulations being developed. This allows for tribal leaders to comment and help our regulation writers in the drafting of the proposed rules. Today we have three regulations that fall under this executive order 13175.

As I mentioned, we'll start with the first one which is for SNAP. This is a direct final rule. This rule is on the Quality Control Error Tolerance Threshold for SNAP. It involves amending a SNAP regulation to increase the QC, Quality Control Error Tolerance Threshold from \$25 to \$50. I'm now going to ask our SNAP representative, Laura Griffin [PH], to provide a short summary of this direct final rule. Laura.

Thank you, Darlene. As Darlene introduced, this is a direct final rule to increase the Quality Control Error Tolerance Threshold from \$25 to \$50. It was published yesterday, November 1st, in the Federal Register. The components are, of this rule, are that it requires all quality control error amounts found during the review to be coded and reported by state agencies. This includes all quality control errors, regardless of the amount so that the department can collect information on all variances to assist with corrective action even though variances below the \$50 threshold are not counted in the National Quality Control Error Rate. This rule is effective for the 2012 Quality Control Review Year, which began on October 1st. It does have a 30-day comment period associated with it. Thank you, Darlene. I'll pass it back to you.

Okay. Thanks, Laura. Let's don't we go ahead and move on to the next rule which is also for SNAP. This rule has not been drafted yet, but a work claim has been submitted for approval. This proposed rule will be on trafficking controls and fraud investigations for SNAP. So I'm going to ask Laura to come back and comment on that.

Thank you, Darlene. As Darlene mentioned, we are in the very beginning stages of this rule. It is still in the work plan stage. This proposed rule will do two things. First, it will expand the definition of trafficking to include the intent to sell SNAP benefits; for example, when an individual makes the offer to sell their benefits or their EBT card online or in public. Second, it will allow states to require client cooperation when a client has requested multiple EBT card replacements during a specific period of time as this may be an indication of possible trafficking activity.

FNS believes these actions will improve the integrity of the program by allowing states to acquire clients to cooperate with certain fraud investigations. There are currently no regulations that require states to speak with state agencies when circumstances in their case such as multiple card replacements appear suspicious.

In addition, this will help state agencies identify and assist clients who may not understand how to use their benefit cards or need additional extra assistance in managing the card and using it. As I mentioned, this proposed rule also expand the definition of trafficking to include the intent to sell benefits or EBT cards. This will enable states to have the ability to pursue program disqualifications for individuals who attempt to sell cards or benefits either through the administrative or prosecutorial process. An example of an intent to sell of benefits might be through a website such as Craigslist or in person outside of a grocery store. Thank you, Darlene. That concludes my review of this rule.

Okay, Darlene, and we'll hand it back to you to open it up for consultation.

Yes. Thanks, Laura, and thanks, Barbara. And if anyone has any comments or questions or concerns, press “*1” and we can have some consultation on these two proposals that Laura referenced.

So, operator, we'll go ahead and queue you, please.

Thank you very much. And once again, to ask your questions or make a comment please press “*1.” There is one coming through. One moment, please. Red Gates, your line is open, sir.

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Thank you. Again, good afternoon everybody. This is Charles Gates, nickname Red. I'm very glad to see that there is some move in this area. With the wording "can't," I guess, to me it is not very strong. You would be surprised at how people can come up with different ways to beat the system. You know, when they first came out with the card they felt that that was going to be the end to all the trafficking, but it didn't take long. One of the favorite things – and people talk. You know, we live in a small town here, and one of the things they do, "Well all I have to do is go get a shopping list from the person I'm selling to, went to the store, and, you know, I buy what they need, and I deliver the food later or whatever." So I guess my concern would be who can it report an intent to sell because it's pretty common knowledge, but nobody wants to report it because they feel nothing's done. There's no investigations done or that it's always said to be too costly. That's just my comment.

And, Red, I think that's an important comment, and you can see that we are trying to – the whole fraud and trafficking issue around SNAP has become even more of a priority – a concern and a priority. So your comment is well-taken. Laura, is there anything that you want to add to that?

I would say that – I would echo your remarks, Darlene, that recipient integrity is a very, very high priority for the administration at this time, and we're doing quite a number of activities to assist the states in strengthening their work in this area. And recently we issued a policy memo to the states that states that the intent to sell is an intentional program violation, and this strengthens the state's abilities to act on cases where this may be occurring. At the same time, we've also reached out to Craigslist, and I'm happy to report that they've added the selling of federal benefits as a prohibitive action on their website.

Thirdly, I would add that, on our website, we do have posted fraud hotlines as well as the OIT number, and when people who have a suspicion or have observed inappropriate activities in regards to the benefits, to step forward and report what they've seen so that we can follow up – or, excuse me, so that the state can follow up appropriately. We're going to be continuing our work in this area, communicating with states about the importance of this, and continuing to provide them with more tools that strengthen the tools that they do have to address concerns in this area. So I appreciate your comments, and thank you very much for raising it.

Yeah, I guess I'd like to follow up with that that when people – and people do come to me and tell me, they'll come here, it will be a grandmother, a mother, sister, whatever, and say, "So and so keeps coming to me and asking for some of my commodity foods because they spent all of their food stamps, and I know they're selling them." And a lot of these are family members, friends. There's a fear of reporting. So I'm hoping that – and I know there's always a big danger in anonymous reporting, but that is a big factor of why some intent to sell is not reported because they're relatives, they're family members.

I hear your point, Red. And I think, you know, as this is being drafted, maybe there's something in the development of this proposal that will, I don't know, help people maybe feel more comfortable when they feel the need to report. I understand your concerns, definitely.

Thank you.

Thank you. Anyone else in the queue to comment or express concerns?

No, ma'am, not at this time.

Okay. Why don't I go ahead then to the next agenda item, which is in the child nutrition area, and specifically it's on a report due to Congress. This report will specifically look at the federal nutrition program – at how the federal nutrition programs can help overcome child hunger and nutrition problems on Indian reservations. I'll ask Barbara Lopez to provide additional information on this particular topic. Barbara.

Okay. Thank you, Darlene. And as Darlene mentioned, this is a very important report that we're bringing for consultation today. The Healthy Hunger-Free Kids Act is a piece of legislation that President Obama signed into law in December 2010, and it was a very important piece of legislation that we authorize our

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Child Nutrition Program like the National School Lunch Program and the School Breakfast Program as an example.

Well in that legislation there's a section, Section 141, and it requires USDA to report to Congress on the matter of federal nutrition programs can help overcome child hunger and nutrition problems on Indian reservations, just a little broad. As Darlene mentioned, the report is due to Congress, it's due December 13th, 2011, and will look at hunger, obesity, and type II diabetes. And very specifically, this report needs to contain three main items.

The first is a summary of the status of hunger, obesity, and type II diabetes on Indian reservations. The report will also contain how nutrition programs work to address child hunger, obesity, and type II diabetes in Indian Country. And then the third part, the report will also discuss current federal initiatives and positive impacts from the implementation of the Healthy Hunger-Free Kids Act. So all those three sections will need to be included in this report. And as I mentioned, the report is due fairly soon. It's due December 13th, 2011. Darlene, I'll hand it back to you for consultation.

Okay. Now's an opportunity if you would like at this point to comment on the report to Congress that Barbara just referenced. Are there any comments or concerns or questions? Press "**1" if so.

And, operator, we'll go ahead and queue you, please.

Thank you. Once again, you press "*" then "1" to ask your questions. One moment. And I don't have any questions coming through at this time.

Okay. Thank you. The next item on our agenda has to do with the Commodity Supplemental Food Program. And this next item is the third regulation we have today following the executive order 13175. This proposed rule is on automatic commodity supplemental food program income eligibility for SNAP and food distribution program on Indian reservation participants. I'm going to ask our program representative, Dana Rasmussen [PH], to please provide an overview of this rule. Dana.

Thanks, Darlene. The Commodity Supplemental Food Program, or CSFP, is a discretionary program available in limited areas. The eligible women, infants, and children who are under six years of age, seniors 60 and over, can receive food packages to supplement their diets. Currently, under program regulations and statutes, women, infants, and children who are certified as eligible for the Supplemental Nutrition Assistance Program or SNAP are considered to automatically meet the income eligibility standards for CSFP. This proposed rule would expand CSFP automatic income eligibility to seniors 60 years of age and older who are certified as eligible for SNAP.

In addition, because of the Food Distribution Program on Indian Reservations, or FDPIR, is an alternative to SNAP, this proposed rule would amend program regulation to allow persons certified as eligible for FDPIR to, again, automatically meet the income eligibility standards for CSFP. This proposed rule would increase program efficiency by streamlining certification procedures in CSFP.

Although the rule would provide automatic income eligibility to persons certified as eligible for SNAP or FDPIR, individuals would still need to meet other program eligibility requirements. For example, an age requirement would need to be met for CSFP consistent with the law and regulations. Seniors would have to be 60 years of age and older to qualify for the program still. Another example would be that if a state sets program residency standards or local service areas, that would need to be met as well. The rule is currently under development. We expect publication in the spring of 2012. And Darlene, I'll hand it back to you for consultation.

Thanks, Dana. Again, if you have any – would like to express any comments or concerns or have questions regarding this particular rule, press "**1."

And there are no questions coming through at this time.

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Okay. The next thing on our agenda is a section for news and updates, and we do have several updates to provide today, and all three updates are on FDPIR. The first update is on the FDPIR Participant Characteristics Study, and I'll ask Dana to please provide an update on that. Dana.

Thanks, Darlene. The last nationally representative study of FDPIR was completed over two decades ago in 1990. Since then there have been significant changes that have occurred to the program, including changes to the eligibility rules, foods offered, and food delivery options. The Urban Institute, along with the National Opinion Research Center and Support Services International Incorporated, has been awarded a contract from USDAs FNS to conduct a national study of FDPIR and its participants. This study is needed to help FNS make future decisions regarding the program. We're very happy to report that it's getting underway.

The study's objectives include, but aren't limited to, the following: Obtain an updated demographic profile of participants, measure FDPIRs contribution to participant's food supply, explore reasons for the downward trend in FDPIR participation, study participant's movements between FDPIR and SNAP, and examine food package distribution approaches. The study is beginning this fiscal year and will be conducted over a three-year period. The study will include but won't be limited to telephone and in-person interviews of program staff, participants, and other individuals in select tribal areas, and these tribal areas are still to be determined.

To make the study as representative as possible, ITOs and state agencies with varying levels of program participation will be asked to participate including larger participating FDPIR or ITOs or state agencies such as the Navajo Nation and the Cherokee Nation of Oklahoma. We will be asking for help from members of the program community to make sure that the study is a success, and we will be considering additional consultation options regarding this study as we move forward. We welcome your input in this regard. And with that, I'll hand it over to Darlene.

Before I go on to the second update, are there any questions related to the characteristic study? I know there's more information to come, this is just, you know, an update.

And, operator, we'll queue you, please.

Once again, press "*", then "1." It does look like we have one coming through. One moment, please. Red Gates, your line is open.

It's me again. I have a question on, you know, the study. The Urban Institute, I believe, has done some studies, or the last one, like they say, is 1990. When you talk about exploring the reasons for the downward trend in FDPIR, basically I guess if it could be different for smaller versus medium-sized versus the very large FDPIR programs, but I think all in all we all know that. Our participation has dropped off dramatically since the '90s, and, of course, it's related to, I believe, the many changes in the formerly Food Stamp and SNAP program.

I have a question not related to this particular study, but has there ever been a study done with the Food Stamp or SNAP, that program – I know they just changed their name to SNAP. Just out of curiosity, I'm wondering if they've ever done a study such as is being done with our program? It seems like tribes and Indians are always being studied and surveyed.

Red, I can tell you that they do do a characteristic study on the SNAP program and participation. I don't know how often it comes out. Laura, I'm not sure if you know or not. But it's something I can get back to you on. But I do know that there is a study that goes on on a regular basis.

Yeah, that's correct, Darlene. This is Barbara. And we went ahead and wrote down that question, Red, we'll make sure to get back to you. I'm going to check with our researchers.

And I guess if there haven't been, I would like to suggest that they do one sometime in the near future if money allows for a contract be let because our big concern is we worked our tails off trying to make a

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healthy and nutritious program for our people here, and I think everybody knows how I feel about some of these foods that SNAP participants are allowed to purchase with their benefits, not very healthy. Thank you.

Thank you

Thanks, Red.

Any other – is there anyone else in the queue, operator?

There is one more coming through. One moment, please. This one comes from Melissa. Your line is open?

Thank you. And forgive me, my name is Melissa Waitner, and I'm sitting here with Yvonne Theodore from the Little River Band of Ottawa Indians in Manistee, Michigan. And I actually pressed the wrong button to get us involved in the first place to even be able to acknowledge that we're present. So we're present.

And my question is twofold, one is I know that it says the less participants and, perhaps, including the larger reservation areas, and I guess I'm wondering if it's been determined yet what select participants mean. I would really like to make sure that we see a pretty – you know, a demographic that covers all areas of the United States and all the tribes in it. That's the first part if you wanted to go ahead and answer that.

Hi, Melissa. Dana, here again.

Hi, Dana.

That is one of our goals. And the answer is, save for some of the largest ITOs or Indian Tribal Organizations out there that we would like to ask for help in starting off this study, no, that has not been decided and we do want to have varying levels of program participation for this study, and we want it to be representative of the nation. So that's our goal, and I think that's part of the goal with regard to how are we going to consult or reach out to ITOs and state agencies and FDPIR to conduct the study. We're thinking about ways to do that now.

Okay. Thank you. The second part of my question is, as Red had said, and I want to follow up on that because I think that he's hit on a key component that I think that you folks at the USDA and perhaps the consultant that you hire really need to understand is that, you know, tribes and tribal people have historically been surveyed out. Now as a grant writer, I understand the importance of having surveys and getting that information so that we can show a need. But I think that you might be prepared to hear that.

My grandmother is a tribal elder who's 80 years old who's been surveyed probably 50 times in her life on a variety of different things, and so for her it's, "Oh, another survey." And so it's either a survey to show a need so that we can help people, or in some of our histories it's a survey to show that perhaps something's not helping well enough and that is should be gotten rid of. So I think that you're going to have – you're going to find some apprehension perhaps on the part of participants and on some of the staff. That's just something that I wanted to make you aware of, and that's it.

Thank you, Melissa.

Thank you.

And we do have one more in the queue. The recording was unclear, but, sir, your line is open.

Tony Ortoli [PH] here.

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Hi, Tony.

Good afternoon everyone. Going back to the survey data on new people, what I'd also like to say – or see in doing it is that you have the various regions in the country. You should be looking at a sampling of all the tribes in those regions. Okay. I would like that. The other thing that I would like, I mean, it's been – in most of the tribes you're going to hear it later today or not, is when you're doing this survey, comparing the foods we get and the fact that right now your big issue before the program is the out-of-date program or out-of-date foods that we have and can't get, and how the tribal membership feels on that. I think it has a real importance on that.

I've emailed you some stuff on this. I'll address that question later, but it has to do with our program participants, and I'm just going to say it real frank to you USDA officials, we as tribes are being treated as second class citizens again. I walked into the store yesterday and I was looking at some grape juice, I compared it to the out-of-date stuff we have, and in the store the same brand, 2012 at this time before it's out of date. How come we keep continually getting out-of-date food and expect to compete with SNAP on a nutritional balance, let alone an economic balance at all?

Thanks, Tony. I think one thing that we can say, we've taken an approach where we're trying to get rid of anything that would be past or near its use-by date before it gets to you folks. And I think when it gets to an Indian tribal organization or the state agency it reflects badly on us, and we recognize that. We do ask that if you do have anything in inventory that is close that you just received to let us know and we can try to resolve that matter.

Operator, is there anyone else in the queue?

No, ma'am, no further questions at this time.

Okay. I'm going to move on then to our second update, and this update is on the regional vendor pilot. I'd like to share that the concept of a regional vendor pilot in FDPIR has been part of many discussions throughout the years, and our hope is that this pilot will provide a model for the program that could result in increased purchase of locally-grown and traditional food into a regional FDPIR food package at a cost that can be supported by the program. Once again, I'm going to ask Dana to please provide an update to us on that.

Thank you, Darlene. As Darlene mentioned, we are considering a regional vendor distribution pilot in FDPIR. Under the current model, the one which we currently use, the USDA buys food for the FDPIR food package. The distribution of the food to participating ITOs and state agencies administering FDPIR is performed by two USDA contracted warehouses. This is known as the National Warehouse Model.

Under the pilot, USDA would contract with the regional vendor or vendors to supply food to some FDPIR programs. The vendor would buy FDPIR approved foods and distribute them directly to ITOs and/or state agencies administering the program. We anticipate that the regional vendor model would provide fresher products for participants, potentially allow for greater opportunities to buy traditional and/or local foods from Native American producers, and potentially reduce overall storage and transportation costs which are attributed to our current national warehouse model. We do envision that the pilot would be available in a limited geographic area or areas, and that a limited number of programs would participate. The remaining FDPIR programs would continue to be served by the national warehouse model while the pilot is being conducted.

Now regarding the pilot, USDA conducted consultation sessions both in-person and via conference call on July 19th and 21st of this year. These two consultation sessions were held in Denver, Colorado and Washington, DC between USDA FNS leadership and tribal leaders or their designees. The consultation sessions afforded leaders an opportunity to discuss the pilot including tribal interest and participating, with the expectation that it would be implemented in calendar year 2012. Approximately 30 tribes expressed an interest in the pilot.

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Based on the input that we received during the consultation sessions, FNS convened a panel comprised of board members from the National Association of Food Distribution Programs on Indian Reservations, or NAFDPIR, and staff from FNS and the Farm Service Agency, or FSA, to develop recommendations for potential geographic groupings of tribes that showed interest in the pilot. On August 23rd the panel came to an agreement on potential groupings. Following that, on September 6th, USDA issued a source of sought notice at WWW.FBO.GOV which listed the potential geographic groupings and sought further information from interested vendors by September 23rd of 2011.

FNS and Farm Service Agency will use the information that we received from the responses to the source of sought notice to help guide its decision-making moving forward. We expect to issue a request for proposal, or RFP, as early as this calendar year, and begin the pilot as early as the spring of 2012.

One question that came in during – in the lead up to this call had to do with whether a tribe can still express interest in participating in a pilot if it hadn't already done so. Now, earlier this year we did ask FDPIR, ITOs, and state agencies to submit their interest in participating in the pilot by early August. The panel that convened after that identified potential regional groupings based on the input received, and that information was then used to develop a source of sought notice. And, again, information received as a result of that source of sought notice is going to point to be used to develop the RFP or the Request for Proposal. So at this time we can't accept additional requests to participate in the pilot from ITOs or states that did not express interest previously. On a positive note, however, if the pilot proves to be successful and cost effective all FDPIR, ITOs, and states may eventually see the benefits of it. With that, Darlene, I'll turn it over to you.

Okay. If you have any questions or comments press “*1.”

Once again, just press “*1” for your questions. There is one coming through. One moment, please. This question comes from Denise. Your line is open.

Yes, I just wondered if there might be a list of those persons or tribes who did receive the source of sought notice.

I don't believe a list is available that's been published, but I think that the sources sought notice identifies general groupings.

Okay.

Denise, what we can do is we'll go ahead and review that question and review our materials and get back to you on that in a written format.

Sure. Thank you.

There are no further questions at this time.

Okay.

And one thing, Darlene, that I'd like to add is there is a list of interested tribes, FDPIR Indian tribal organizations and states included in that that would like to participate in the pilot. Now, there are no guarantees at this juncture that all of those entities would be included in the pilot of the 30 that mentioned interest.

Thank you. Okay. I'm going to move on. We have a third update, and this is on the Food Package Workgroup. And I'll ask our FNS representative for the Food Package Workgroup, Stephanie Cooks, to provide that update, please.

Good afternoon everybody. I'll be providing, this afternoon, an update on activities from the last FDPIR Food Package Workgroup review meeting, which was on October 27th. USDA is committed to providing

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healthier food options that meet the dietary guidelines for Americans across all food distribution programs. FNS continues to partner with the FDPIR food package workgroup to meet these nutrition goals and help participants make healthy choices.

Frozen whole chickens and individually frozen split chicken breasts are currently available in the FDPIR food package on a trial basis. Workgroup members have requested an extension of the trial period through March 2012 to give FDPIR participants additional time to try each product. The FDPIR Food Package Review Workgroup will review frozen chicken options in early 2012 to discuss which product to offer beginning April 2012 and beyond.

Participants received an initial shipment of cream of mushroom soup this fall in a 22-ounce re-closable carton. A cream of chicken soup product in 22-ounce cartons was also scheduled for delivery; however the manufacturer experienced difficulties meeting USDA production requirements. USDA will continue to work with the manufacturer to resolve these issues.

Skim evaporated milk will be available in the FDPIR food package beginning in late December 2011. Cranberry sauce, canned pumpkin, and pork ham will be available again this year for the holiday season, which is October through December 2011.

The release of the new CHOOSEMYPLATE.GOV items and materials provided by the – provided the opportunity for the food distribution division to update the household factsheet available online to food distribution programs. USDA will add its new logo for USDA foods, along with new material codes that are consistent with the codes in web SCMs. The updated factsheets will be posted to the food distribution website once completed, which should be the end of December 2011, early January 2012.

Because of vendor production issues, canned tuna is no longer available as an option in food distribution programs. USDA will explore the availability of domestic canned salmon as a replacement product for canned tuna in the FDPIR food package. As requested by tribal workgroup members, fresh broccoli has been added to the FDPIR food package beginning this month, November 2011. Participants can now choose one pound of fresh broccoli as a vegetable option.

Workgroup members will meet at FNS headquarters in Alexandria, Virginia on December 7th and 8th for a face-to-face meeting to prioritize its list of foods for considerations in the FDPIR food package. FNS will consult with tribal leaders during regularly scheduled conference calls to discuss the workgroups progress and recommendations. Thank you all for your attention. Darlene, I turn it back over to you.

Thanks, Stephanie. Again, if you have any comments or questions, concerns, press “*1.”

Great. And while we’re waiting we’re just going to give a quick update. I’ll hand it over to my colleague, Laura Walter, for a quick update.

Good afternoon everyone. Every year FNS issues additional administrative funds to support nutrition education projects in ITOs that participate in FDPIR. And I wanted to remind everyone that the applications for your nutrition education projects are due November 11th. Although that’s a federal holiday, we welcome your applications to be submitted via regular mail, fax, or email, and if you need an extension we would consider that as well. Thank you.

And, operator, we’ll turn it to you, please, to see if there’s anyone in the queue.

Thank you so much. And as a reminder, you press “*1” for your questions. Linda Walker, your line is open?

Hi. Good afternoon. I’m not too sure this is the place or really within the conference call, but the only concern that my chair, Mr. Harry Smiskin, asked me to comment on, and it was a comment, is that council is at NCAI right now, and a lady yesterday, and I called the three councils that are down there to give me more information on it, got up and made a statement on behalf of the FDPIR and the Commodity Food

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Package by stating that she felt that the food was not nutritious enough for the program participants. Now that's his wording, that that's the wording that he got from the two council ladies that are down there. I have tried repeatedly to get a little bit furthermore information on that.

My return statement was that we are more nutritionist than SNAP would ever be. And I would like to know where that comment was really coming from and why the statement was made. But, like I said, that was the only comment that he wished me to give to this panel and the consultation, and maybe somebody else knows something more about it than I do. And that was all that I had to make a statement on.

Thank you for sharing that comment. I'm not sure who would have been at NCIA from USDA, but we can kind of ask back at the national office if anybody else was there and heard that because I've not been aware of that. But I appreciate you sharing it.

Uh-huh.

And there are no further questions at this time.

Very good. Before we go – we're going to move into open dialogue, but I am aware that Tony and Ortoli [PH] in particular, had asked a question about the Farm Bill and of reauthorization. And so I did some checking, I sort of knew this, but I wanted to make sure and I made a couple of calls today. And this year, as I understand it, USDA is not going to be holding listening sessions in advance of preparing a Farm Bill. And I understand that Congress is going to be taking it up itself and doing their own kind of writing of a Farm Bill.

We have offered to provide technical assistance or, you know, any kind of other things that Congress might need. And so, you know, what I would suggest is if you have particular comments on the Farm Bill that you would like to share from the tribes that you would send them to members of Congress to serve on the agriculture committee. So I just wanted to be able to get back to Tony on his particular question on that as I'm sure others have had questions as well. And I believe Tony had some other questions. I'm not sure if they were on addressing the updates, Barbara, were they?

I believe both Dana did address the two questions from Tony, and if not, then, Tony, if you're still on the line, you can press “*1” and let us know.

So, again, this is now open dialogue, so for any comments or questions about what we reported on or the process itself, future consultations, please, again, as we have said, press “*1,” and we'll wait to hear from you.

There is one coming through. One moment, please. My apologies, maybe they changed their mind. Once again, press “*1” for your comments or questions. And there are none coming through at this time.

Okay. Well we'll move to the closing at this point and say a couple of things, but I will check before I finish to make sure because I want to make sure you have an opportunity. Again, you will have other opportunities, but certainly this is on one of our quarterly sessions that we're holding to address and talk about important tribal issues related to our program.

So, again, thank you for joining us today. A reminder that today's session is being recorded and transcribed and will be included in the official consultation record. I'd also like to remind you of our quarterly – our next quarterly consultation session, which is on February 1st, 2012. All consultation meetings are currently scheduled from 3:00 PM to 4:30 PM Eastern Time. You can also find updated information on our website, WWW.FNS.USDA.GOV/FNS/TRIBAL/.

Lastly, President Obama announced the 2011 White House Tribal Nations Conference to be held in Washington, DC on Friday, December 2nd, 2011. This conference provided leaders from the 565 federally recognized tribes the opportunity to interact directly with the President and representatives on

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the highest level of his administration. This is the third year of that conference. As a reminder, the White House Tribal Nations Conference will be on Friday, December 2nd, and at this conference the White House will release additional details about the conference at a later date. Thank you again. And I look forward to continuing our discussion with future consultation sessions. And before I say a final thank you, because we have time, I just want to make sure that there are no questions or comments waiting in the queue.

We actually do have one. Red Gates, your line is open, sir.

Thank you. I forgot to make a statement here that I've been asked to make this statement that our tribe and tribal chairman does not really consider these calls consultations. They are very beneficial. They wanted me to also say that. Their thoughts on consultation is tribal leaders with the secretary's office, that time of format. We don't have the --- they are working on a -- their own consultation policy and procedures, and the USDA will be getting a copy of that very soon. That's the comment I was asked to make by our chairman.

I would like to make a comment on Linda Walker's statement about the negative comments regarding FDPIR food. We're getting pretty used to that. I don't know why it is, but there's been a number of statements made about our food package, and most of the time we find out the statements are made by people that have not seen the list of foods that we do offer now or have never been to a warehouse. And surprisingly, even ABC News did a story on Pine Ridge, and really, really made our program look like we didn't offer any fresh produce. They showed some clips from a Subway restaurant and said a lady made the remark that that was the first time she'd seen fresh cucumbers in a long, long time. And I know for a fact that the warehouse had some in their warehouse -- or in their inventory.

So my suggestion would be when we hear these comments, you know, as program directors, directors, and even with NAFDPIR, we can make I guess a reply, but it doesn't seem to go very far. Darlene, I know you have experience in public affairs, so I made the comment to our Food Package Review Group. Is there somebody in FNS or USDA at headquarters that could help us reply to some of these comments because I think those of us that have worked with this program for a long number of years realize just what Linda Walker said is that we've come a long ways from the old "commod bod" foods, you know, and we'd like to have some positive stories done about our program. Those are my comments for now.

Red, I appreciate your concerns, and I saw the piece as well, and I will follow up with folks about maybe some ideas to respond about the program. I know we've been looking at ways to, in general, talk about the improvements with USDA foods and really trying to let people know that, you know, these programs are good and the foods that are in them and that are available are important, and so I'll follow up on that. I understand your concerns. So I'll get back to you. I'll follow up with colleagues at the national office.

Thank you.

You're welcome.

And no further in the queue.

Well, again, I do appreciate everyone's participation. And USDA does take its consultation -- the consultation sessions very, you know, very seriously, and I understand the face-to-face, and we are trying to do as much of that as we can, and we use these conference calls as another means to be able to at least to continue the dialogue. So we'll look forward to seeing the policies that come out regarding consultation, and we'll continue to look for ideas where we can work together and continue to have a consultation process that works for everyone. So, again, I appreciate everyone's participation and I hope you have a great day. Thank you.